

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DELBRA L. DEAN,

Plaintiff,

v.

1715 NORTHSIDE DRIVE, INC., *et al.*,

Defendants.

CIVIL ACTION NO.

1:14-CV-3775-CAP

ORDER

This matter is before the court on the plaintiff and defendant C.B. Jones' joint motion for an order approving a settlement between these parties [Doc. No. 70].¹ Following such an order, the plaintiff states that she will file a stipulation of dismissal as to Jones but will continue the present litigation against the remaining three defendants.

Under the circumstances of this case, because the plaintiff has brought a minimum wage action under the Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 201 *et seq.*, the only way the plaintiff and Jones can settle the former's FLSA claims against the latter is pursuant to "a stipulated judgment entered by a court which has determined that [the] settlement . . . is a fair

¹ The proposed settlement is between the plaintiff and Jones in his personal capacity.

and reasonable resolution of a bona fide dispute over FLSA provisions.” *Lynn’s Food Stores, Inc. v. U.S. By & Through U.S. Dep’t of Labor, Employment Standards Admin., Wage & Hour Div.*, 679 F.2d 1350, 1355 (11th Cir. 1982). However, to prevent piecemeal litigation, the court is inclined to delay its fairness inquiry until all claims against all defendants have been resolved. While the court will review each proposed settlement individually, the court believes that reviewing all proposed settlements at the same time will provide the court with a better indication of the fairness of each individual proposed settlement.² As such, the plaintiff and Jones’ joint motion to approve settlement [Doc. No. 70] is DENIED.

SO ORDERED this 22nd day of September, 2015.

/s/ Charles A. Pannell, Jr.
CHARLES A. PANNELL, JR.
United States District Judge

² Alternatively, should the plaintiff’s claims against the remaining defendants resolve on other grounds, the court will then proceed to determine the fairness of the settlement between the plaintiff and Jones.